

REMARKS

Independent claims 20, 27, 28, 29, 35, 36, 37 and 38 have been amended to clarify the invention, and to better define the invention over the prior art. Dependent claims 21, 22, 23, 24, 25, 30, 31 and 33 have been amended to conform with the claims from which they depend. No new matter has been entered by any of the foregoing amendments.

The art rejections are respectfully traversed. Considering first the rejection of claims 20-34 under 35 USC §103(a) as being unpatentable over Simpson in view of Johansson, even assuming *arguendo* that caller identification, authentication, authorization and the like can be considered part of a “communication protocol”, the system of Simpson clearly does not relate to a communication protocol performed during transmission between the mobile communication terminal and a base station or at least does not involve testing whether that portion of the “communication protocol” is working properly, as the claims now require.

Johansson’s updating of cell phone software also does not relate to testing communication protocol operation during transmission between the communication terminal and a base station.

The combination of Simpson and Johansson, therefore, does not contain all of the claimed elements, and therefore there is no *prima facie* case of obviousness.

The rejection of claims 35-38 under 35 USC §103(a) as being unpatentable over Simpson et al. in view of Johansson and further in view of U.S. Patent No. 6,697,604 to Rimpela et al. (“Rimpela”) also is in error.

The combination of Simpson and Johansson, as noted above does not contain the elements of the claimed subject matter. And, Rimpela, as noted before by Applicant, is just an

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example of the prior art discussed in the present application over which the claimed subject matter is an improvement.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action is respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

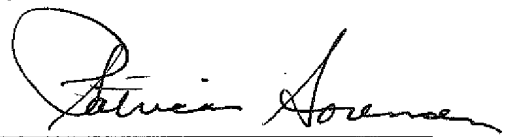
Respectfully submitted,



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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this paper is being deposited with the United States Patent Office via the electronic filing procedure on June 10, 2009 at Tucson, Arizona.

By 

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